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**From:** Joanna Mitchell  
**Sent:** Friday, 30 November 2012 3:18 PM  
**To:** 'Benish\_Haider@agd.nsw.gov.au'  
**Subject:** RE: Biles v State of New South Wales (2008/316976) \_MPL7300972\_ Subpoena on P Maxwell, request instructions to file a Notice of Motion seeking to set aside the subpoena on P Maxwell.

Dear Benish,

I am of the view that a notice of motion is consistent with instructions previously provided to resist the production of privileged documents relating to Mr Maxwell's investigation.

You are instructed to prepared the notice as outlined below.

Kind regards

**Joanna Mitchell | Legal Officer, Child Law  
Legal Services**  
Department of Family and Community Services | Community Services  
T 02 9716 2793 | F 02 9716 2988  
A 4-6 Cavill Avenue, Ashfield 2131 NSW or DX 21212 Ashfield  
E [joanna.mitchell@facs.nsw.gov.au](mailto:joanna.mitchell@facs.nsw.gov.au)  
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**From:** [Benish\\_Haider@agd.nsw.gov.au](mailto:Benish_Haider@agd.nsw.gov.au) [[mailto:Benish\\_Haider@agd.nsw.gov.au](mailto:Benish_Haider@agd.nsw.gov.au)]  
**Sent:** Friday, 30 November 2012 2:04 PM  
**To:** Joanna Mitchell; [VMO&OtherLiability@suncorp.com.au](mailto:VMO&OtherLiability@suncorp.com.au)  
**Subject:** Biles v State of New South Wales (2008/316976) \_MPL7300972\_ Subpoena on P Maxwell, request instructions to file a Notice of Motion seeking to set aside the subpoena on P Maxwell.

Good Afternoon

Please find attached a letter dated 30 November 2012 from the Women's Legal Service enclosing a subpoena on Mr Peter Maxwell.

I note that in addition to requesting the items sought in the subpoena issued on me , the plaintiff seeks all diaries and diary entries from Mr Maxwell. I further note that I am instructed to file a Notice of Motion seeking to set aside the subpoena issued on me.

I now seek your instructions to file a Notice of Motion seeking to set aside the subpoena issued on Mr Maxwell as , in my view, the subpoena seeks documents which are subject to privilege, is drafted broadly and is oppressive.

Please contact me on 8093 5546 should you wish to further discuss this matter.

Kind regards

Benish Haider  
Solicitor  
for Crown Solicitor

NSW Crown Solicitor's Office | Level 5, 60-70 Elizabeth Street, Sydney NSW 2000  
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